

1-1 By: West S.B. No. 717
1-2 (In the Senate - Filed February 21, 2013; February 25, 2013,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 11, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 11, 2013,
1-6 sent to printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	West	X		PNV
1-10	Rodriguez	X		
1-11	Campbell	X		
1-12	Carona			X
1-13	Hancock	X		
1-14	Paxton	X		

1-15 COMMITTEE SUBSTITUTE FOR S.B. No. 717 By: Paxton

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to consent by a minor to housing or care provided through a
1-19 transitional living program.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subchapter C, Chapter 32, Family Code, is
1-22 amended by adding Section 32.203 to read as follows:

1-23 Sec. 32.203. CONSENT BY MINOR TO HOUSING OR CARE PROVIDED
1-24 THROUGH TRANSITIONAL LIVING PROGRAM. (a) In this section,
1-25 "transitional living program" means a residential services program
1-26 for children provided in a residential child-care facility licensed
1-27 or certified by the Department of Family and Protective Services
1-28 under Chapter 42, Human Resources Code, that:

1-29 (1) is designed to provide basic life skills training
1-30 and the opportunity to practice those skills, with a goal of basic
1-31 life skills development toward independent living; and

1-32 (2) is not an independent living program.

1-33 (b) A minor may consent to housing or care provided to the
1-34 minor or the minor's child or children, if any, through a
1-35 transitional living program if the minor is:

1-36 (1) 16 years of age or older and:

1-37 (A) resides separate and apart from the minor's
1-38 parent, managing conservator, or guardian, regardless of whether
1-39 the parent, managing conservator, or guardian consents to the
1-40 residence and regardless of the duration of the residence; and

1-41 (B) manages the minor's own financial affairs,
1-42 regardless of the source of income; or

1-43 (2) unmarried and is pregnant or is the parent of a
1-44 child.

1-45 (c) Consent by a minor to housing or care under this section
1-46 is not subject to disaffirmance because of minority.

1-47 (d) A transitional living program may, with or without the
1-48 consent of the parent, managing conservator, or guardian, provide
1-49 housing or care to the minor or the minor's child or children.

1-50 (e) A transitional living program must attempt to notify the
1-51 minor's parent, managing conservator, or guardian regarding the
1-52 minor's location.

1-53 (f) A transitional living program is not liable for
1-54 providing housing or care to the minor or the minor's child or
1-55 children if the minor consents as provided by this section, except
1-56 that the program is liable for the program's own acts of negligence.

1-57 (g) A transitional living program may rely on a minor's
1-58 written statement containing the grounds on which the minor has
1-59 capacity to consent to housing or care provided through the
1-60 program.

2-1 (h) To the extent of any conflict between this section and
2-2 Section 32.003, Section 32.003 prevails.

2-3 SECTION 2. This Act takes effect immediately if it receives
2-4 a vote of two-thirds of all the members elected to each house, as
2-5 provided by Section 39, Article III, Texas Constitution. If this
2-6 Act does not receive the vote necessary for immediate effect, this
2-7 Act takes effect September 1, 2013.

2-8 * * * * *